

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE PROCESSED EGG PRODUCTS
ANTITRUST LITIGATION

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: MDL No. 2002
: 08-md-02002

THIS DOCUMENT APPLIES TO:
All Indirect Purchaser Actions

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**MOARK, LLC AND NORCO RANCH, INC.'S MOTION FOR SUMMARY
JUDGMENT ON IPPS' SHERMAN ACT CLAIM FOR INJUNCTIVE RELIEF
AND IPPS' MASSACHUSETTS CONSUMER PROTECTION CLAIM**

For the reasons set forth in the accompanying *Memorandum in Support of Moark, LLC and Norco Ranch, Inc.'s Motion for Summary Judgment on IPPs' Sherman Act Claim and IPPs' Massachusetts Consumer Protection Claim*, Defendants Moark, LLC and Norco Ranch, Inc., by and through their counsel, hereby move the Court for an Order entering judgment in their favor and against Indirect Purchaser Plaintiffs on their Sherman Act Claim for injunctive relief (Count I) and their claim under Massachusetts General Laws chapter 93A (Count VII)¹ set forth in their Fifth Amended Complaint (Dkt. # 866). A proposed order is attached to this motion as **Exhibit A**.

Pursuant to Local Rule of Civil Procedure 7.1, Moark requests oral argument on this Motion.

Dated: July 2, 2015

Respectfully submitted,

/s/ Nathan P. Eimer

Nathan P. Eimer

Vanessa G. Jacobsen

¹ Count VII of IPPs' Fifth Amended Complaint also asserts an unjust enrichment claim under Massachusetts law. Defendants have jointly moved for summary judgment on all of IPPs' unjust enrichment claims in separate papers filed contemporaneously herewith. Together, these motions dispose of Count VII entirely as to Moark and Norco Ranch.

Arin C. Aragona
EIMER STAHL LLP
224 South Michigan Avenue, Suite 1100
Chicago, IL 60604
Tel: (312) 660-7600
Fax: (312) 692-1718

*Counsel for Defendants Moark, LLC and
Norco Ranch, Inc.*